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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

11 DANIEL DAUWALDER,
12 Plaintiff
13 v.
14 J. ATHERTON, et al.,
15 Defendant

Case No.: 1:24-cv-0523 JLT SKO

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S REQUEST FOR INJUNCTIVE
RELIEF**

(Docs. 20, 27)

17 Daniel Dauwalder seeks to hold the defendants liable for civil rights violations while
18 housed at the Substance Abuse Treatment Facility of Corcoran State Prison. (*See generally* Doc.
19 1; *see also* Doc. 11.) Plaintiff filed a motion for a preliminary injunction, asserting that the prison
20 officials are tampering with his mail at the California Correctional Institute in Tehachapi. (Doc.
21 20.) The magistrate judge found Plaintiff cannot obtain the relief requested, because the action
22 proceeds on his claims under the Eight Amendment related to violations at SATF- Corcoran and
23 does not involve claims related to mail tampering or any prison officials at CCI-Tehachapi. (Doc.
24 27 at 3-4.) Therefore, the magistrate judge recommended the Court deny the motion for
25 injunctive relief. (*Id.* at 4.)

26 The Court served the Findings and Recommendations on Plaintiff and notified him that
27 any objections were due within 14 days. (Doc. 27 at 4.) The Court advised him that the “failure
28 to file any objections within the specified time may result in the waiver of certain rights on

1 appeal.” (*Id.*, citing Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did
2 not file objections, and the time to do so has passed.

3 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
4 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations to
5 be supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 6 1. The Findings and Recommendations issued July 9, 2025 (Doc. 27) are
7 **ADOPTED** in full.
8 2. Plaintiff’s motion for injunctive relief (Doc. 20) is **DENIED**.

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10 IT IS SO ORDERED.

11 Dated: August 3, 2025


UNITED STATES DISTRICT JUDGE

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